

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WARREN TIMOTHY JOHNSON,

Plaintiff,

v.

THE CITY OF NEW YORK, DEPARTMENT
OF CORRECTIONS,
CAPTAIN BROWN, SHIELD # UNKNOWN,
C/O L. JOHNSON, SHIELD #18225,
C/O BREWSTER, SHIELD #10860

Defendant.

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DATE FILED: 9/24/09

09 Civ. 4685 (PGG)

ORDER

PAUL G. GARDEPHE, U.S.D.J.:

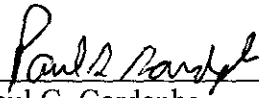
Plaintiff, Warren Timothy Johnson, currently incarcerated at Sing Sing Correctional Facility, brings the instant action pro se. The docket sheet indicates that service of the summons and complaint on Captain Brown, one of the four named defendants, was attempted on July 2, 2009 but was not successful. The U.S. Marshal Service is unable to effect service on Captain Brown without his shield number, which is not set forth in the complaint.

Plaintiff is directed to serve, by certified mail and within the next 30 days, interrogatories on the Corporation Counsel of the City of New York in order to identify the name and shield number of Captain Brown. This Court further directs the Corporation Counsel to answer Plaintiff's interrogatories within 30 days of receipt and to provide information sufficient to identify Captain Brown and his shield number. See Valentin v. Dinkins, 121 F.3d 72 (2d Cir. 1997) (per curiam) (holding that the district court must assist pro se plaintiff in identifying defendants). Defense counsel is directed to notify this Court once the identity and shield number of Captain Brown have been provided to Plaintiff.

Once informed of the identity and shield number of Captain Brown, Plaintiff is directed to contact the Pro Se Office at the United States Courthouse, 500 Pearl Street, Room 230, New York, New York 10007 (telephone: (212) 805-0175) for assistance in notifying the U.S. Marshals Service.

Dated: New York, New York
September 23, 2009

SO ORDERED.



Paul G. Gardephe
United States District Judge

Copy to:
Warren Timothy Johnson (pro se)
DIN# 09-A-0328
Sing Sing Correctional Facility
354 Hunter St.
Ossining, NY 10562

Andrew Myerberg
New York City Law Department,
Office of the Corporation Counsel
100 Church Street
New York , NY 10007

Counsel for Defendants City of New York Department of Corrections; C/O L. Johnson, Shield #18225; C/O Brewster, Shield #10860